

JMM:ALB
F# 2009R01743

FILED
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U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ NOV 04 2009 ★

- - - - -X

LONG ISLAND OFFICE

UNITED STATES OF AMERICA

- against -

SCOTT D. KOPSTEIN,
also known as "mikehrny,"

Defendant.

CR-09 747
INDICTMENT
G. No. **747**
(T. 18, U.S.C., §§ 2252(a)(1),
2252(b)(1), 2253 and 3551 et
seq.; T. 21, U.S.C., §
853(p))

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THE GRAND JURY CHARGES:

SEYBERT, J.
WALL, M.J.

COUNTS ONE THROUGH THREE
(Transportation of Child Pornography)

1. On or about the dates and times set forth below,
within the Eastern District of New York and elsewhere, the
defendant SCOTT D. KOPSTEIN, also known as "mikehrny," did
knowingly and intentionally transport and ship, using a means and
facility of interstate and foreign commerce and in and affecting
interstate and foreign commerce, visual depictions, to wit: the
images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>	<u>DATE AND TIME</u>
ONE	"- 15 suck a thk one.jpg" and "- daddy gets blown[1].jpg"	June 12, 2009, 2:46:00 PM
TWO	"%3Bkmcnkms%20%28162%29[1].jpg"	June 12, 2009, 2:56:07 PM
THREE	"09 yo 0003hard.jpg"	June 12, 2009, 2:56:34 PM

the production of such visual depictions having involved the use

of one or more minors engaging in sexually explicit conduct and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(1), 2252(b)(1) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

2. The United States hereby gives notice to the defendant charged in Counts One through Three that, upon his conviction of any of the charged offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253, of (a) any visual depiction described in Section 2251, 2251A, or 2252, 2252A, 2252B, or 2260 of Title 18, United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offenses of conviction; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses of conviction or any property traceable to such property, including, but not limited to one MacBook laptop, serial number W8725JN7YA3.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due

diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

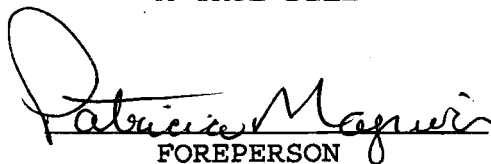
(d) has been substantially diminished in value;
or

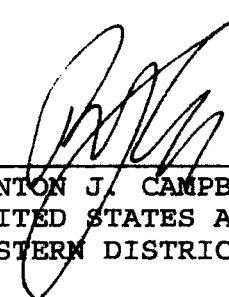
(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON


BENTON J. CAMPBELL
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

SIR:

PLEASE TAKE NOTICE that the within will be presented for settlement and signature to the Clerk of the United States District Court in his office at the U.S. Courthouse, 610 Federal Plaza, Central Islip, New York, on the ____ day of ____, 20__, at 10:30 o'clock in the forenoon.

Dated: Central Islip, New York

_____, 20__

United States Attorney,
Attorney for _____

To: _____

Attorney for _____

SIR:

PLEASE TAKE NOTICE that the within is a true copy of _____ duly entered herein on the ____ day of _____, in the office of the Clerk of the Eastern District of New York,

Dated: Central Islip, New York

_____, 20__

United States Attorney,
Attorney for _____

To: _____

Attorney for _____

Criminal Action No. _____

**UNITED STATES DISTRICT COURT
Eastern District of New York**

UNITED STATES OF AMERICA

- against -

SCOTT D. KOPSTEIN,
also known as "mikehenry,"
Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 2252(a)(1),
2252(b)(1), 2253 and 3551 et seq.; T.
21, U.S.C., § 853(p))

a true bill.

Foreman

Filed in open court this ____ day of

A.D. ____

Clerk

Bail, \$ _____

Allen L. Bode
Assistant U.S. Attorney 631-715-7828